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EXAMINER

TAN, ALVIN H

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/825,251	Applicant(s) OLLMANN ET AL.	
	Examiner ALVIN H. TAN	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 5/16/08. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

Claims 1 and 3-38 have been examined and rejected. This Office action is responsive to the amendment filed on 5/16/08, which has been entered in the above identified application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-23, 26, and 35-38 rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (U.S. Patent No. 6,339,437 B1), Davis (Pub. No. US 2005/0091604 A1), and Mohan et al (U.S. Patent No. 6,970,881 B1).

Claims 1, 3-23, 26, 38 (Method)

Claim 35 (Computer Readable Medium)

Claim 36 (Apparatus)

Claim 37 (System)

3-1. Regarding claims 1, 35, 36, and 37, Nielsen teaches the claim comprising obtaining one or more location criteria used to identify one or more desired locations in the file, by disclosing changing a display of information to reflect the amount of relevant content which would be visible in a display window at a current location of a scrolling thumb on a scroll bar *[column 1, lines 33-38]*. Relevance is determined by locating relevance markers within text of a document based on a query *[column 4, line 52 to column 5, line 7]*.

Nielsen teaches identifying one or more displaying criteria to be used to designate the one or more desired locations, by disclosing setting font attributes to distinguish relevant text *[column 5, lines 17-30]* as well as using various colors of an object *[column 6, lines 1-7, 24-32]* or various images *[column 6, lines 8-24]* to indicate an amount of relevance.

Nielsen teaches locating one or more desired locations in the file according to the location criteria, by disclosing that as text is read from the text file into the character generator, the relevance markers are read to identify attributes with which a character or set of characters are to be represented *[column 5, lines 24-28]*. Additionally, relevance markers in a segment of text are counted to determine desired locations *[column 5, line 61 to column 6, line 7]*.

Although Nielsen teaches changing the color of the scrollbar to reflect the amount of relevance detected at a given scroll thumb location, Nielsen does not expressly teach displaying the scroll bar by applying the one or more display criteria to the plurality of locations of the scroll bar corresponding to the one or more desired locations in the file, wherein the scroll bar is generated such that the plurality of locations of the scroll bar indicate relative importance of contents in the corresponding locations of the file. Davis teaches a scrollbar containing a plurality of horizontal markers to indicate to the user that a particular section of a document is relevant *[paragraphs 32, 49-50; figure 10]*. These markers correspond to a grouping of one or more objects *[paragraph 29]* and may vary in color, shape, and size *[paragraph 62]*. This allows users to keep track of relevant locations within large documents without having to drag the scroll bar around *[paragraph 7, 10-11]*. Since Nielsen teaches altering an object to reflect the number of relevance markers *[Nielsen, column 6, lines 1-7]* and that the screen object utilized to feedback the amount of relevance is somewhat arbitrary *[Nielsen, column 6, lines 2-4]*, it would have been obvious to one of ordinary skill in the art at the time the invention was made to indicate the number of relevance markers corresponding to a segment of text using the various colors of Nielsen, on the horizontal markers of Davis. This would allow users to keep track of relevant locations within large documents without having to drag the scroll bar around *[Davis, paragraphs 10-11]*.

Although Nielsen and Davis teach indicating relative importance based on the number of relevance markers in a segment of text *[Nielsen, column 5, line 66 to column*

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6, line 6; column 6, lines 20-32, 38-48], Nielsen and Davis do not expressly teach wherein the relative importance of contents in the corresponding locations of the file is based on comparing the importance of contents in locations of the file with one another. Mohan teaches categorizing and analyzing unstructured information such as documents [column 1, lines 27-60; column 3, lines 10-25] in order to provide an intelligent view of the unstructured information [column 18, lines 5-12]. Scores for individual key concepts that contributed to a search are averaged for each object returned. If the search was performed using a combination of key concepts and seed concepts, the number of hits for the seed concepts are divided by the total number of hits picked up for all seed concepts in the document to determine how much the seed concept actually contributed to the concept of the document. This is used to obtain a relevancy score for the object as it pertains to a particular search [column 18, lines 33-45]. Scores are normalized as discussed in [column 16, line 30 to column 17, line 15]. This enables users to view trends within a document. Thus, since Nielsen and Davis teach searching a document [Nielsen, column 4, line 52 to column 5, line 7], determining relative importance of a segment of text based on the number of relevance markers, and displaying an attribute on a scroll bar [Davis, paragraph 50] based on the relative importance, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to use the method of determining a relevancy score, as taught by Mohan, for calculating relative importance of contents of the segments of text. This would enable the user to view trends within each segment of text of the document.

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3-2. Regarding claim 3, Nielsen, Davis, and Mohan teach the claim wherein the scroll bar includes a plurality of horizontal segments, each of the horizontal segments indicating relative importance of contents in the corresponding locations of the displayed file, by disclosing using the horizontal markers of Davis [*Davis, paragraph 50; figure 10*] for indicating the importance of contents in a section of text [*Nielsen, column 4, lines 37-45*].

3-3. Regarding claim 4, Nielsen, Davis, and Mohan teach the claim wherein each of the plurality of horizontal segments is displayed with at least one of a color, hue, intensity, and transparency indicating its relative importance, by disclosing indicating relative importance using color [*Nielsen, column 6, lines 24-32*] and that the horizontal markers may vary in color [*Davis, paragraph 62*].

3-4. Regarding claim 5 and 6, Nielsen, Davis, and Mohan teach the claim wherein displaying the scroll bar further comprises applying a background display criteria to a plurality of locations of the scroll bar corresponding to remaining locations in the file that do not include the desire locations and displaying one or more of the plurality of locations in the file by applying the display criteria and the background display criteria, by disclosing that only the horizontal markers may have its color changed [*Davis, paragraphs 62*]. Thus, other parts of the scroll bar would have its own default background display.

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3-5. Regarding claim 7, Nielsen, Davis, and Mohan teach the claim wherein the plurality of locations are a plurality of rows in the file, by disclosing providing relevance rankings based on a layer portion of text [*Nielsen, column 4, lines 37-48*]. Davis also teaches markings for groups of one or more items such as words, lines, paragraphs, or pages [*Davis, paragraph 29*].

3-6. Regarding claim 8, Nielsen, Davis and Mohan teach the claim further comprising displaying one or more of the plurality of locations in the file by applying the display criteria, by disclosing that once the number of relevance markers is determined for a particular segment of text, a system attribute, such as the color of an object displayed will be altered to reflect the number of those markers [*Nielsen, column 6, lines 1-7*]. Markers on the scroll bar are used to indicate to the user that a particular section of a document is relevant [*Davis, paragraph 50*].

3-7. Regarding claim 9, Nielsen, Davis, and Mohan teach the claim wherein the plurality of locations are a plurality of rows in the file, by disclosing providing relevance rankings based on a layer portion of text [*Nielsen, column 4, lines 37-48*]. Davis also teaches markings for groups of one or more items such as words, lines, paragraphs, or pages [*Davis, paragraph 29*].

3-8. Regarding claim 10, Nielsen, Davis, and Mohan teach the claim further comprising displaying contents of the file by applying the display criteria, by disclosing

that once the number of relevance markers is determined for a particular segment of text, a system attribute, such as the color of an object displayed will be altered to reflect the number of those markers [*Nielsen, column 6, lines 1-7*]. Additionally, retrieval of the location marked may be invoked by selection of the marker [*Davis, paragraph 34*].

3-9. Regarding claim 11, Nielsen, Davis, and Mohan teach the claim wherein the location criteria is used to identify one or more errors, by disclosing that the user submits a query to be searched within a document [*Nielsen, column 4, lines 14-36*]. Based on the user submitted query, relevance markers are shown indicating the locations of the word within the document [*Nielsen, column 4, lines 37-45*]. Thus, the user may submit any term or phrase such as “error”.

3-10. Regarding claim 12, Nielsen, Davis, and Mohan teach the claim wherein the location criteria is used to identify one or more warnings, by disclosing that the user submits a query to be searched within a document [*Nielsen, column 4, lines 14-36*]. Based on the user submitted query, relevance markers are shown indicating the locations of the word within the document [*Nielsen, column 4, lines 37-45*]. Thus, the user may submit any term or phrase such as “warning”.

3-11. Regarding claim 13, Nielsen, Davis, and Mohan teach the claim further comprising obtaining one or more user-defined location criteria, by disclosing that the user controls the location of the scroll thumb [*Nielsen, column 5, lines 34-46*].

Additionally, the user submits a query, which determines the marked locations in the document *[Nielsen, column 4, lines 14-36]*.

3-12. Regarding claim 14, Nielsen, Davis, and Mohan teach the claim further comprising obtaining one or more user-defined display criteria, by disclosing that the user can set a color based on a number of relevance markers in a segment of text *[Nielsen, column 6, lines 38-48]*.

3-13. Regarding claim 15, Nielsen, Davis, and Mohan teach the claim wherein the location criteria includes one or more rankings associated with one or more content-dependent criteria, by disclosing *[Nielsen, figure 6]*.

3-14. Regarding claim 16, Nielsen, Davis, and Mohan teach the claim wherein each of the one or more display criteria includes at least one of color, hue, intensity, and transparency, by disclosing indicating relative importance using color *[Nielsen, column 6, lines 24-32]* and that the horizontal markers may vary in color *[Davis, paragraph 62]*.

3-15. Regarding claim 17, Nielsen, Davis, and Mohan teach the claim further comprising obtaining one or more user-defined display criteria, by disclosing that the user can set a color based on a number of relevance markers in a segment of text *[Nielsen, column 6, lines 38-48]*.

3-16. Regarding claim 18, Nielsen, Davis, and Mohan teach the claim wherein each of the one or more display criteria is associated with one or more of the location criteria, by disclosing that once the number of relevance markers is determined for a particular segment of text, a system attribute, such as the color of an object displayed will be altered to reflect the number of those markers *[Nielsen, column 6, lines 1-7]*. Horizontal markers corresponding to the locations *[Davis, paragraph 50]* are used to display relevance.

3-17. Regarding claim 19, Nielsen, Davis, and Mohan teach the claim further comprising obtaining one or more user-defined display criteria, by disclosing that the user can set a color based on a number of relevance markers in a segment of text *[Nielsen, column 6, lines 38-48]*.

3-18. Regarding claim 20, Nielsen, Davis, and Mohan teach the claim further comprising obtaining one or more user defined location criteria, by disclosing that the user controls the location of the scroll thumb *[Nielsen, column 5, lines 34-46]*. Additionally, the user submits a query, which determines the marked locations in the document *[Nielsen, column 4, lines 14-36]*.

3-19. Regarding claim 21, Nielsen, Davis, and Mohan teach the claim further comprising obtaining one or more user-defined display criteria, by disclosing that the

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user can set a color based on a number of relevance markers in a segment of text

[Nielsen, column 6, lines 38-48].

3-20. Regarding claim 22, Nielsen, Davis, and Mohan teach the claim wherein each of the one or more display criteria is associated with one or more of the location criteria, by disclosing that once the number of relevance markers is determined for a particular segment of text, a system attribute, such as the color of an object displayed will be altered to reflect the number of those markers *[Nielsen, column 6, lines 1-7]*. Horizontal markers corresponding to the locations *[Davis, paragraph 50]* are used to display relevance.

3-21. Regarding claim 23, Nielsen, Davis, and Mohan teach the claim wherein each of the one or more display criteria is associated with one or more of the location criteria, by disclosing that once the number of relevance markers is determined for a particular segment of text, a system attribute, such as the color of an object displayed will be altered to reflect the number of those markers *[Nielsen, column 6, lines 1-7]*. Horizontal markers corresponding to the locations *[Davis, paragraph 50]* are used to display relevance.

3-22. Regarding claim 26, Nielsen, Davis, and Mohan teach the claim wherein the background display criteria includes at least one of color, hue, intensity, and

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transparency because the default background for the scroll bar must have some sort of color.

3-23. Regarding claim 38, Nielsen, Davis, and Mohan teach the claim further comprising receiving a selection of a location of the scroll bar after the scroll bar is displayed, by disclosing that users can select a location of the scroll bar [*Nielsen, column 5, lines 34-46*]. Additionally, users may click on the relevance markers of Davis to return to the exact place in the document [*Davis, paragraph 34*].

4. Claims 24 and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (U.S. Patent No. 6,339,437 B1), Davis (Pub. No. US 2005/0091604 A1), Mohan et al (U.S. Patent No. 6,970,881 B1), and Eick (U.S. Patent No. 5,644,692).

Claims 24, 25

4-1. Regarding claim 24, Nielsen, Davis, and Mohan teach the claim as recited in claim 5. Nielsen, Davis, and Mohan do not expressly teach the claim further comprising obtaining user-defined background display criteria. Eick teaches a scroll bar with markers indicating specific details of a document [*column 23, line 22 to column 24, line 14*]. Various types of attributes are associated with each line within a document by using a set of colors on the scroll bar [*column 27, lines 46-62*]. Conditional displays of an attribute are set up by specifying a foreground and background attribute type for the scroll bar [*column 28, lines 12-19, 36-44*]. This provides further information to a user

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regarding which portions of a document are related to a plurality of attribute values *[column 2, lines 18-27]*. Since Nielsen, Davis, and Mohan teach a scroll bar for displaying relevant information about a document *[Nielsen, column 1, lines 33-38]*, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include user-defined foreground and background display criteria for displaying portions of the scroll bar containing certain attributes, as taught by Eick. This provides further information to a user regarding which portions of a document are related to a plurality of attribute values.

4-2. Regarding claim 25, Nielsen, Davis, Mohan, and Eick teach the claim wherein the background display criteria includes at least one of color, hue, intensity, and transparency because the default background for the scroll bar must have some sort of color. Additionally, markers indicating the attributes include lines of a different color or a color of the scroll bar *[Eick, column 24, lines 1-14]*.

5. Claims 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (U.S. Patent No. 6,339,437 B1), Davis (Pub. No. US 2005/0091604 A1), Mohan et al (U.S. Patent No. 6,970,881 B1), and McGee, III et al (U.S. Patent No. 6,990,496 B1), herein after, McGee.

Claims 27-31

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5-1. Regarding claim 27, Nielsen, Davis, and Mohan teach the claim as recited in claim 1. Although Nielsen, Davis, and Mohan teach that the number of relevance markers are counted for a particular segment of text, *[Nielsen, column 4, lines 37-48; column 5, line 61 to column 6, lines 1-37]*, Nielsen, Davis, and Mohan do not expressly teach the claim wherein locating one or more desired locations in the file according to the location criteria comprises determining a reference count for each row in the file, the reference count indicating a number of the desired locations in the corresponding row. McGee teaches a text classifier that reads text having one or more keywords contained within one or more segments within the text and in response to identifying at least one keyword within a line of text, classifying that line of text *[column 2, lines 36-42]*. As shown in *[figure 4]*, the number of keywords in each line is determined. Classifying a line of text based on the number of keywords within it allows users to more easily identify segments of text within a document *[column 2, lines 14-22]*. Since Nielsen, Davis, and Mohan teach a scroll bar for displaying relevant information about a document based on a query *[Nielsen, column 1, lines 33-38]* and providing horizontal markers *[Davis, paragraphs 32, 50]* used to display relevance for a summation of all relevance indicators for a section of text *[Nielsen, column 4, lines 46-48]*, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include determining a reference count for each row in the document based on the query in order to classify each line, as taught by McGee. This would provide more detailed information concerning each row and thus, would allow users to more easily identify important sections of text within a document.

5-2. Regarding claim 28, Nielsen, Davis, Mohan, and McGee teach the claim wherein displaying the scroll bar by applying the one or more display criteria to one or more locations of the scroll bar corresponding to the one or more desired locations in the file comprises applying the one or more display criteria to the one or more locations of the scroll bar in accordance with the reference count for corresponding rows in the file, by disclosing that a system attribute, such as the color of an object displayed will be altered to reflect the number of relevance markers [*Nielsen, column 6, lines 1-7*]. Relevance rankings could be based on a portion of text and one could use a summation of relevance indicators for a section of text [*Nielsen, column 4, lines 46-48*]. Since horizontal markers [*Davis, paragraph 50*] are used to display the relevance of Nielsen and the relevance markers are determined for corresponding rows as taught by McGee, the attribute would be displayed based on the reference count for corresponding rows.

5-3. Regarding claim 29, Nielsen, Davis, Mohan, and McGee teach the claim further comprising displaying one or more of the plurality of locations in the file by applying the one or more display criteria to the one or more of the plurality of locations in the file in accordance with the reference count for corresponding rows in the file, by disclosing that a system attribute, such as the color of an object displayed will be altered to reflect the number of relevance markers [*Nielsen, column 6, lines 1-7*]. Since horizontal markers [*Davis, paragraph 50*] are used to display the relevance of Nielsen and the

relevance markers are determined for corresponding rows as taught by McGee, the attribute would be displayed based on the reference count for corresponding rows.

5-4. Regarding claim 30, Nielsen, Davis, Mohan, and McGee teach the claim further comprising dividing the reference count for each row in the file by a total number of reference counts in the file to obtain a row reference count, normalizing the row reference count for each row in the file, and wherein applying the one or more display criteria to the one or more locations of the scroll bar includes applying the one or more display criteria to the one or more locations of the scroll bar in accordance with the normalized row reference count for corresponding rows in the file, by disclosing that scores for individual key concepts that contributed to a search are averaged for each object returned. If the search was performed using a combination of key concepts and seed concepts, the number of hits for the seed concepts are divided by the total number of hits picked up for all seed concepts in the document to determine how much the seed concept actually contributed to the concept of the document. This is used to obtain a relevancy score for the object as it pertains to a particular search [*column 18, lines 33-45*]. Scores are normalized as discussed in [*column 16, line 30 to column 17, line 15*]. Since McGee teaches classifying a line of text based on the number of keywords within it [*McGee, column 2, lines 36-42*] and displaying an attribute on a scroll bar [*Davis, paragraph 50*] based on a relevancy classification [*Nielsen, column 6, lines 1-7*], it would have been obvious to one of ordinary skill in the art at the time the invention was made, to use the method of determining a relevancy score, as taught by Mohan, on

each row in the document. This would enable the user to view trends within each row of the document.

5-5. Regarding claim 31, Nielsen, Davis, Mohan, and McGee teach the claim further comprising displaying one or more of the plurality of locations in the file by applying the one or more display criteria to the one or more of the plurality of locations in the file in accordance with the normalized row reference count for corresponding rows in the file, by disclosing that a system attribute, such as the color of an object displayed will be altered to reflect the number of relevance markers that would be displayed on the screen if the scrolling were stopped at that point [*Nielsen, column 6, lines 1-7*]. Since the relevance is determined by the method as taught by Mohan, the attribute would be displayed based on the normalized row reference count for corresponding rows.

6. Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (U.S. Patent No. 6,339,437 B1), Davis (Pub. No. US 2005/0091604 A1), Mohan et al (U.S. Patent No. 6,970,881 B1), McGee, III et al (U.S. Patent No. 6,990,496 B1), and Kline ("Principles and Practice of Structural Equation Modeling", December 2002).

Claims 32-34

6-1. Regarding claim 32, Nielsen, Davis, Mohan, and McGee teach the claim as recited in claim 30. Nielsen, Davis, Mohan, and McGee do not expressly teach the claim further comprising applying a non-linear function to each normalized row reference

count to generate a non-linear normalized row reference count for each row in the file wherein applying the one or more display criteria to the one or more locations of the scroll bar includes applying the one or more display criteria to the one or more locations of the scroll bar in accordance with the non-linear normalized row reference count for corresponding rows in the file. Kline teaches correcting a positive and negative skew in data by applying a non-linear function to the data [*page 23, number 5; page 24, number 6*]. Preventing a positive and negative skew in a data set of row scores would provide a more even distribution of row scores across the whole document and thus, allow the even distribution of colors to represent scores on the scroll bar. Since Nielsen, Davis, Mohan, and McGee teach determining the relevance of rows within a document and displaying an attribute such as color on a scroll bar based on a classification [*Nielsen, column 6, lines 1-7*], it would have been obvious to one of ordinary skill in the art at the time the invention was made, to apply a non-linear function to each normalized row reference count as taught by Kline. This would provide a more even distribution of row scores across the whole document and thus, allow the even distribution of colors to represent scores on the scroll bar.

6-2. Regarding claim 33, Nielsen, Davis, Mohan, McGee, and Kline teach the claim further comprising displaying one or more of the plurality of locations in the file by applying the one or more display criteria to the one or more of the plurality of locations in the file in accordance with the non-linear normalized row reference count for corresponding rows in the file, by disclosing that a system attribute, such as the color of

an object displayed will be altered to reflect the number of relevance markers [*Nielsen, column 6, lines 1-7*]. Since the relevance is determined as taught above, the attribute would be displayed based on the non-linear normalized row reference count for corresponding rows.

6-3. Regarding claim 34, Nielsen, Davis, Mohan, McGee, and Kline teach the claim wherein the non-linear function is a square-root function [*Kline, page 23, number 5*].

Response to Arguments

7. The Examiner acknowledges the Applicant's amendments to claims 1 and 35-37. Regarding independent claims 1 and 35-37, the Applicant alleges that Nielsen (U.S. Patent No. 6,339,437 B1) and Jaeger (U.S. Patent No. 7,103,851 B1), as described in the previous Office action, do not explicitly teach wherein the relative importance of contents in the corresponding locations of the file is based on comparing the importance of contents in locations of the file with one another. Examiner has therefore rejected independent claims 1 and 35-37 under 35 U.S.C § 103 as being unpatentable over Nielsen, Davis (Pub. No. US 2005/0091604 A1), and Mohan et al (U.S. Patent No. 6,970,881 B1). Applicant's arguments with respect to claims 1 and 35-37 have been considered but are moot in view of the new grounds of rejection.

Applicant states that dependent claims 3-34 and 38 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claim 1. However, as discussed above, Nielsen, Davis, and

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Mohan are considered to teach claim 1, and consequently, claims 3-34 and 38 are rejected.

Conclusion

8. The prior art made of record on attached form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 111(c) to consider these references fully when responding to this action. The documents cited therein teach similar systems for displaying relative emphasis in a file.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN H. TAN whose telephone number is (571)272-8595. The examiner can normally be reached on Mon-Fri 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHT
Assistant Examiner
Art Unit 2173

/Tadesse Hailu/
Primary Examiner, Art Unit 2173